

Appl. No. : 10/688,614 Confirmation No. 2439
Applicant : Warren et al.
Filed : October 17, 2003
TC/A.U. : 3628
Examiner : Igor N. Borissov
Docket No. : ETG:1003
Customer No. : 34725

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

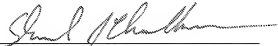
In response to the Notice of Non-Compliant Amendment mailed on October 31, 2007, applicant respectfully submits that: (1) the Notice was predicated solely on the revised rules of practice ("Claims and Continuations Final Rule") that were to be effective on November 1, 2007; (2) the USPTO was enjoined from implementing the changes in the Claims and Continuations Final Rule by the United States District Court for the Eastern District Court of Virginia on October 31, 2007; and (3) the amendment filed on August 9, 2007 was fully responsive to the Office Action mailed on July 9, 2007 and complies with the rules of practice currently in effect. As a result, applicant respectfully submits that the Notice of Non-Compliant Amendment is moot and requests reconsideration of the previously filed amendment under the rules of practice currently in effect. Applicant will comply with the Claims and Continuations Final Rule when and if it becomes effective.

For the reasons set forth above, applicant respectfully requests reconsideration by the examiner. Applicant submits that claims 1-19, 30-49 and 66-84 are fully patentable. Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If the examiner has any questions or comments, or if further clarification is required, it is requested that the examiner contact the undersigned at the telephone number listed below.

Date: November 8, 2007

Respectfully submitted,

CHALKER FLORES, LLP

By 

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